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Attorneys for Nevada State Board of Nursing

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

WILLIAM SABATINI,
Plaintiff,

vs.

NEVADA STATE BOARD OF
NURSING,
Defendant.

Case No. 2:22-cv-00219-GMN-VCF

**STIPULATED DISCOVERY PLAN
AND [PROPOSED] SCHEDULING
ORDER**

**SUBMITTED IN COMPLIANCE
WITH LR 26-1(b)**

Defendant Nevada State Board of Nursing (the "Nursing Board"), by and through its counsel of record, Dickinson Wright PLLC, and Plaintiff William Sabatini, appearing *pro se*, submit this Stipulated Discovery Plan and [Proposed] Scheduling Order.

1. Rule 26(f) Conference. On Friday, July 8, 2022, the parties held a Rule 26(f) conference via Zoom. Justin J. Bustos appeared on behalf of the Nursing Board. William Sabatini appeared on behalf of himself.

2. Rule 26(f) Report. During the Rule 26(f) Conference, the parties discussed the following items required by Fed. R. Civ. P. 26(f)(3).

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1 a. What changes should be made in the timing, form, or requirement for
2 disclosures under Rule 26(a), including a statement of when initial disclosures were made or will
3 be made?

4 The parties agree that the deadline to exchange initial disclosures under Fed. R. Civ. P.
5 26(a)(1)(C) should be modified. Specifically, the parties agree that initial disclosures should be
6 exchanged fourteen (14) days after the Court rules on the Nursing Board's pending Motion to
7 Dismiss (ECF No. 20).

8 b. The subjects on which discovery may be needed, when discovery should
9 be completed, and whether discovery should be conducted in phases or be limited to or focused
10 on particular issues?

11 The parties agree that discovery may be conducted on all issues and allegations set forth
12 in the parties' pleadings. The parties do not believe that discovery should be conducted in phases
13 or limited to or focused on any particular issues at this time. The parties do not believe that
14 discovery will be extensive.

15 c. Any issues about disclosure, discovery, or preservation of electronically
16 stored information, including the form or forms in which it should be produced?

17 The parties do not anticipate any issues with the disclosure, discovery, or preservation of
18 electronically stored information. The parties anticipate that documents will be produced in PDF
19 format.

20 d. Any issues about claims of privilege or of protection as trial-preparation
21 materials, including -- if the parties agree on a procedure to assert these claims after production -
22 - whether to ask the court to include their agreement in an order under Federal Rule of Evidence
23 502?

24 The parties do not anticipate any issues concerning claims of privilege or of protection of
25 trial preparation materials.

26 e. What changes should be made in the limitations on discovery imposed
27 under these rules or by local rule, and what other limitations should be imposed?
28

1 None.

2 f. Any other orders that the court should issue under Rule 26(c) or under
3 Rule 16(b) and (c)?

4 None.

5 **3. Proposed Discovery Plan:**

6 The parties agree that discovery should be stayed pending a decision on the Nursing
7 Board's Motion to Dismiss (ECF No. 20). The parties agree to submit a proposed discovery plan
8 with fourteen (14) days of any order denying the Motion to Dismiss (ECF No. 20) in whole or in
9 part.

10 **4. Certifications:**

11 The parties certify that they met and conferred about the possibility of using alternative
12 dispute-resolution processes including mediation, arbitration, and if applicable, early neutral
13 evaluation. *See* LR 26-1(b)(7).

14 The parties certify that they have considered consent to trial by a magistrate judge under
15 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order
16 2013-01). *See* LR 26-1(b)(8).

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2 **5. Jury Trial**

3 No jury demand has been filed in this case.

4 DATED this 15th day of July, 2022.

DATED this 15th day of July, 2022.

5 **DICKINSON WRIGHT PLLC**

6 /s/ Justin J. Bustos

7 JUSTIN J. BUSTOS

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13 *Attorneys for Nevada State Board of Nursing*

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Pro Se

15 **IT IS SO ORDERED:**

17 United States Magistrate Judge

18 DATED:

1 ///

2 **5. Jury Trial**

3 No jury demand has been filed in this case.

4 DATED this ___ day of July, 2022.

DATED this th15 day of July, 2022.

5 **DICKINSON WRIGHT PLLC**

6 /s/

7 JUSTIN J. BUSTOS

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17 *Attorneys for Nevada State Board of Nursing*

18 **IT IS SO ORDERED:**



United States Magistrate Judge

DATED: 7-18-2022

19 IT IS HEREBY ORDERED that a video status conference
20 hearing is SCHEDULED for 10:00 AM, January 18, 2023.
21 IT IS FURTHER ORDERED that counsel/the parties must email
22 the Courtroom Administrator, Tawnee Renfro at
23 Tawnee_Renfro@nvd.uscourts.gov, with an email address to be
24 used for the video conference hearing by noon, January 17,
25 2023.

CERTIFICATE OF SERVICE

I certify that I am an employee of DICKINSON WRIGHT LLP and that on the 15th day of July, 2022, I electronically filed the **STIPULATED DISCOVERY PLAN AND [PROPOSED] SCHEDULING ORDER** with the Clerk of the Court by using the ECF system.

I further certify that the following individual was served electronically through the Court's ECF System:

William L Sabatini
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561-703-1003
Email: willsabatini@gmail.com

PRO SE

/s/:Laura P. Browning
An Employee of Dickinson Wright PLLC

4863-5084-2664 v2 [94969-2]